



PATENT

ATTORNEY DOCKET NO.: 052250-5016

3752

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael A. FISCHER )

Application No.: 09/292,152 )

Filed: 15 April 1999 )

For: EARLY SUPPRESSION FAST )  
RESPONSE FIRE PROTECTION )  
SPRINKLER )

Confirmation No.: 3148

Group Art Unit: 3752

Examiner: Nguyen, D.

RECEIVED

APR 28 2003

TECHNOLOGY CENTER R3700

**NOTICE OF APPEAL TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**Commissioner for Patents  
Washington, D.C. 20231

04/23/2003 HDEMESS1 00000036 500310 09292152

01 FC:1401  
02 FC:1253320.00 CH  
930.00 CH

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated 22 October 2002, finally rejecting claims 1 and 21-35.

## 1. Extension of Time

- [X] Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. §1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
[ ] one month	\$ 110.00	\$ 55.00
[ ] two months	\$ 410.00	\$205.00
[X] three months	\$ 930.00	\$465.00
[ ] four months	\$1,450.00	\$725.00

Extension of Time fee Due **\$ 930.00**

- [ ] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

- [ ] The fee in the amount of \$\_\_\_\_\_ is enclosed.

Goodall

2. Notice of Appeal Fee Under 37 C.F.R. §1.17(b)

[X] The fee in the amount of \$320.00 to cover the appeal fee is enclosed.

3. Fee Total(s):

[X] The Commissioner is authorized to charge **\$1,250.00** (\$930.00 for the three-month extension of time fee due and \$320.00 for the Notice of Appeal Filing fee due) to Deposit Account No. 50-0310.

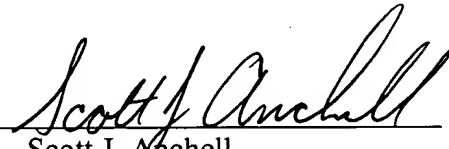
4. Constructive Petition

[X] Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By:



Scott J. Anchell  
Reg. No. 35,035

Date: April 22, 2003

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